

E1995

TEXT OF TELEGRAM BOSEUL 010432

315

ADP724

UNCLASSIFIED

EXCISE

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ACTION EA-12

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INFO OCT-01 ADS-00 SS-15 SSO-00 PM-07 SP-02 NSCE-00  
CIAE-00 INR-10 NSAE-00 INRE-00 HA-05 DODE-00 L-03  
/055 W

-----090877 130948Z /11

O 130907Z AUG 80  
FM AMEMBASSY SEOUL  
TO SECSTATE WASHDC IMMEDIATE 8380  
INFO AMEMBASSY TOKYO  
SA CINCUNC KS  
CHJUSMAG SEOUL KS  
COMUSKOREA SEOUL KS//BJ-IS

DEPARTMENT OF STATE 903668

NS/FPC/CDR TRB Date: 6/17/94

( ) RELEASE ( ) DECLASSIFY  
(X) EXCISE (X) DECLASSIFY  
( ) DENY IN PART  
( ) DELETE Non-Responsive Info  
FOIA Exemptions 81  
PA Exemptions

MR Cases Only:  
EO Citations

I. IZANBERG TS authority to.  
(X) CLASSIFY as ( ) S or (X) O OADR  
( ) DOWNGRADE TS to ( ) S or ( ) C OADR

SECTION 01 OF 02 SEOUL 10432

E.O. 12065: GDS 08/13/86 (MONJO, JOHN) DR-M  
TAGS: PINS, PINT, SHUM, JA, KS  
SUBJECT: TRIAL OF KIM DAE-JUNG TO BEGIN AUG 14.

REF: A) SEOUL 8592, B)  
- C) SEOUL 10374  
1. - ENTIRE TEXT.

2. THE TRIAL OF KIM DAE JUNG (M-R: KIM TAE-CHUNG) AND 23 CODEFENDANTS IS SCHEDULED TO BEGIN AUGUST 14 BEFORE A GENERAL COURT MARTIAL AT ARMY HQ IN SEOUL. SEOUL PRESS ACCOUNTS AUGUST 13 IDENTIFIED THE PRESIDING JUDGE, ARMY MG MUN UN-SIK (M-R), AND STATED THAT DEFENDANTS' FAMILIES, FOREIGN MISSION REPRESENTATIVES, REPORTERS, "AND OTHER SPECTATORS" WOULD BE IN ATTENDANCE.

3. THE INDICTMENT AND THE NAMES OF THOSE TO BE TRIED HAVE NOT BEEN MADE PUBLIC. EMBASSY HAS RECEIVED A COPY OF THE INDICTMENT; THE 153-PAGE DOCUMENT CONTAINS, ON FIRST READING, NO SIGNIFICANT ACCUSATIONS BEYOND THOSE ANNOUNCED ON JULY 4 (REF. A). DEFENDANTS ARE ACCUSED ON

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INCITING CIVIL DISORDER IN SEOUL AND KWANGJU WITH THE OBJECTIVE OF OVERTHROWING THE GOVERNMENT AND INSTALLING KIM AS HEAD OF STATE. EIGHT DEFENDANTS ARE ACCUSED NOT OF BEING CLOSE ASSOCIATES OF KIM'S, BUT OF COOPERATING WITH KIM'S NATIONAL ALLIANCE FOR DEMOCRACY AND DEMOCRATIC UNIFICATION (NADDU) IN SUPPORT OF KIM'S CAUSE. THE INDICTMENT GIVES, FOR THE FIRST TIME, A COMPLETE LIST OF THE DEFENDANTS AND THE CHARGES AGAINST EACH.

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4. KIM DAE JUNG IS CHARGED WITH: CONSPIRACY FOR INSURRECTION, INSTIGATING INSURRECTION, VIOLATION OF MARTIAL LAW, VIOLATION OF THE NATIONAL SECURITY LAW, VIOLATION OF THE ANTI COMMUNIST LAW, AND VIOLATION OF THE FOREIGN EXCHANGE CONTROL LAW. THE ANTI-COMMUNIST AND NATIONAL SECURITY LAWS BOTH CARRY THE DEATH PENALTY AS THE MAXIMUM POSSIBLE SENTENCE.

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5. OF THE OTHER DEFENDANTS, THIRTEEN ARE CHARGED WITH THE SINGLE OFFENSE OF VIOLATING MARTIAL LAW, WHICH CARRIES SENTENCE OF UP TO THREE YEARS. TEN OTHER DEFENDANTS ARE CHARGED WITH VIOLATION OF MARTIAL LAW AND CONSPIRACY FOR INSURRECTION; THE LATTER CHARGE MAY BE PUNISHED WITH ANYTHING FROM BRIEF IMPRISONMENT TO HANGING.

6. THE INDICTMENT DETAILS HUNDREDS OF SPECIFIC ACTS, RANGING FROM ILLICIT ACCEPTANCE OF FOREIGN CURRENCY TO MAKING PRO-COMMUNIST STATEMENTS ABROAD, BUT DOES NOT CITE EVIDENCE IN SUPPORT OF THESE ALLEGATIONS AND DOES NOT CITE SPECIFIC ACTS AS VIOLATIONS OF SPECIFIC LAWS. (COMMENT: [REDACTED] TOLD EMBOFF AUGUST 12 HE BELIEVED SOME OF THE ACTS WITH WHICH KIM DAE JUNG IS CHARGED TOOK PLACE BEFORE THE LAWS INVOLVED WERE PASSED. SINCE THE INDICTMENT DOES NOT TIE ACTIONS TO CHARGES, IT IS IMPOSSIBLE

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TO BE SURE ABOUT THIS, BUT MOST OF THE ACCUSATIONS, AGAINST KIM AND THE OTHERS, INVOLVE ACTS COMMITTED SINCE PRESIDENT PARK'S ASSASSINATION IN 1979, WHILE MOST OF THE LAWS CITED DATE FROM THE PERIOD 1948 TO 1962).

7. DEFENDANTS IN THE CASE ARE AS SHOWN BELOW. LETTERS IN THE "CHARGES" COLUMN ARE KEYED AS FOLLOWS:

- A. CONSPIRACY FOR INSURRECTION.
- B. INSTIGATING INSURRECTION.
- C. VIOLATION OF MARTIAL LAW.
- D. INCITEMENT OF MARTIAL LAW VIOLATION.
- E. VIOLATION OF NATIONAL SECURITY LAW.
- F. VIOLATION OF ANTI-COMMUNIST LAW.
- G. VIOLATION OF FOREIGN EXCHANGE CONTROL LAW.

ALL NAMES M-R:

NAME (AGE)	OCCUPATION	DATE CHARGED	CHARGES
1. KIM TAE-CHUNG(55)	UNEMPLOYED	JULY 9	A,B,C, E,F,G
2. MUN IK-HWAN(62)	MINISTER	JULY 9	A,C
3. YI MUN-YONG(53)	PROFESSOR	JULY 9	A,C

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KORYO UNIVERSITY

4. YE CH'UN-HO(52)

FORMER NATIONAL  
ASSEMBLYMAN

JULY 9

A,C

5. KO UN-T'AE(47)

POET

JULY 9

A,C,D

□ BIAS

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ACTION EA-12

INFO OCT-01 ADS-00 SS-15 SS0-00 PM-07 SP-02 L-03  
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INFO AMEMBASSY TOKYO  
SA CINCUNC KS  
CHJUSMAG SEOUL KS  
COMUSKOREA SEOUL KS//BJ-IS

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6. KIM SANG-HYON(45)	FORMER NATIONAL ASSEMBLYMAN	JULY 9	A,C
7. YI SIN-POM(30)	STUDENT, SNU	JULY 9	A,C
8. CHO SONG-U(30)	STUDENT, KORYO UNIVERSITY	JULY 23	A,C
9. YI HAE-CH'AN(27)	STUDENT, SNU	JULY 23	A,C,D
10. YI SOK-P'YO(27)	UNEMPLOYED	JULY 23	A,C
11. SONG KI-WON(32)	STUDENT	JULY 23	A,C
12. SOL HUN(27)	STUDENT, KORYO UNIVERSITY	JULY 23	A,C
13. SIM CHAE-CH'OL(22)	STUDENT	JULY 23	A,C
14. SO NAM-TONG(62)	PROFESSOR,	JULY 14	C

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YONSEI UNIVERSITY

15. KIM CHONG-WAN(47)	HOG-BREEDER	JULY 14	C
16. HAN SUNG-HON(45)	EXECUTIVE DIRECTOR OF AMNESTY INTER- NATIONAL, KOREA	JULY 14	C

NAME (AGE)      OCCUPATION      DATE      CHARGES

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		CHARGED	
17. YI HAE-TONG(45)	MINISTER, HANBIT CHURCH	JULY 14	C
18. KIM YUN-SIK	UNEMPLOYED	JULY 14	C
19. HAN WAN-SANG(44)	PROFESSOR, SNU	JULY 14	C
20. YU IN-HO(54)	PROFESSOR, CHUNGANG UN.	JULY 14	C
21. SONG KON-HO(52)	FORMER EDITOR- IN-CHIEF OF TONGA ILBO	JULY 14	C
22. YI HO-CH'OL(54)	NOVELIST	JULY 14	C
23. YI T'AEK-TON(44)	FORMER NATIONAL ASSEMBLYMAN	JULY 14	C
24. KIM NOK-YONG(55)	FORMER NATIONAL ASSEMBLYMAN	JULY 14	C

MONJO

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